



State of New Jersey

OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LAW AND PUBLIC SAFETY

DIVISION OF ELECTIONS

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MEMORANDUM

TO: Commissioners, County Board of Elections
Administrators, County Board of Elections

FROM: Ramón de la Cruz, Esq.
Director, NJ Division of Elections
Yudelkis Hernandez, Project Coordinator - Polling Place Accessibility

DATE: January 5, 2006

SUBJECT: 2006 Polling Place Accessibility Report

Please find enclosed all of the 2006 Polling Place Accessibility forms, including the **Certification to Designate Placing Places Outside 1000 Feet of an Election District**, which if applicable is now required to be submitted with the previously required forms.

N.J.S.A. 19:8-3.4 requires each county board of elections to provide to the Office of the Attorney General, no later than May 15, 2006, a list of all polling places in the county, specifying any found to be inaccessible. The enclosed **2006 Report Form Certification** and **2006 Polling Place Accessibility Report Form** is to be used for reporting the total number of polling places that are accessible or inaccessible and the **Polling Place Accessibility Checklist** is to be used when surveying each polling place.

As mentioned above, pursuant to Public Law 2005, Ch. 146, effective July 12, 2005 the Office of the Attorney General may permit a county board of election to seek a polling place outside 1000 feet from the boundary line of the election district if the board cannot locate an accessible polling place within the 1000 ft. from the boundary line. Enclosed you should find a **Certification to Designate Placing Places Outside 1000 Feet of an Election District**.

You should also note that, no later than July 1, 2006, the Office of the Attorney General shall review the reports of the county boards of elections and shall ensure that every possible effort has been made to comply with the provisions of this act. N.J.S.A. 19:8:3.5.

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Please keep in mind that in accordance with N.J.A.C. 13:17-6.8, “polling place accessibility standards shall be based upon and be in compliance with the State’s Uniform Construction Code Barrier Free Sub-code, N.J.A.C. 5:23-7 et seq.” The Office of the Attorney General may grant a waiver in certain cases where a polling place is determined to be inaccessible and cannot be made temporarily accessible for accessible prior to requesting a waiver. Any waiver application must detail all efforts undertaken in this regard. Please keep in mind that recent legislation only allows a polling place two waivers to be granted - each waiver being good for only a year in duration.

The enclosed **Waiver Certification/Addendum to Waiver** shall be completed and attached to the **Accessibility Checklist** for each polling place for which a waiver is requested. Please keep in mind that the submission of a waiver request does not guarantee that such a request will be approved.

All forms are to be returned on or before May 15, 2006. We are requesting your continued collaboration in complying with this deadline and for your convenience these forms and the polling place accessibility workshop guide is available on our website at www.njelections.org.

On behalf of the Division of Elections, I would like to thank you in advance for your anticipated cooperation and hard work.

Attachments (4)